



500 West Jefferson Street, Suite 2800  
Louisville, Kentucky 40202-2898  
502.589.5235  
Fax: 502.589.0309

AF/364/  
Sarah Osborn Hill  
502.562.7319  
shill@wyattfirm.com  
*SH*



November 1, 2006

Commissioner of Patents  
MAIL STOP AF  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application Ser. No. 10/722,234  
Applicant: David W. Herbage  
Filed: November 25, 2003  
For: Countermeasure System and Method of Using the Same  
Docket No. A310429.1US

Dear Sir:

Enclosed are:

1. Transmittal letter (1 page);
2. USPTO Form SB/33 - Pre-Appeal Brief Request for Review (1 page);
3. Pre-Appeal Brief Request for Review filed Concurrently with Notice of Appeal, which includes Certificate of Mailing (5 pages);
4. Original and duplicate of Notice of Appeal, which includes Certificate of Mailing (total of 4 pages); and
5. Firm return receipt post card.

Respectfully submitted,

WYATT, TARRANT, & COMBS, LLP

*Sarah Osborn Hill*

Sarah Osborn Hill  
Reg. No. 55,267

SOH/lv  
Enclosures  
556442.1